

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

WILLIAM JOSEPH BABBITT,

Plaintiff,

v.

DEPARTMENT OF VETERANS  
AFFAIRS, et al.,

Defendants.

No. 2:24-cv-2292-TLN-JDP

**ORDER**

Plaintiff William Joseph Babbitt (“Plaintiff”) filed the above-entitled action. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On January 13, 2025, the magistrate judge filed findings and recommendations herein which were served on plaintiff, and which contained notice that any objections to the findings and recommendations were to be filed within fourteen days. (ECF No. 5.) No objections were filed.

The Court presumes that any findings of fact are correct. *See Orand v. United States*, 602 F.2d 207, 208 (9th Cir. 1979). The magistrate judge’s conclusions of law are reviewed *de novo*. *See Robbins v. Carey*, 481 F.3d 1143, 1147 (9th Cir. 2007) (“[D]eterminations of law by the magistrate judge are reviewed de novo by both the district court and [the appellate] court . . .”). Having reviewed the file, the Court finds the findings and recommendations to be supported by


the record and by the proper analysis.

Accordingly, IT IS HEREBY ORDERED that:

1. The proposed Findings and Recommendations filed January 13, 2025 (ECF No. 5), are ADOPTED IN FULL;
2. This action is DISMISSED without prejudice for failure to prosecute, failure to comply with court orders, and failure to state a claim for the reasons set forth in the Court's November 7, 2024, order (*see* ECF No. 3); and
3. The Clerk of Court is directed to close this action.

IT IS SO ORDERED.

Date: February 10, 2025

  
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TROY L. NUNLEY  
CHIEF UNITED STATES DISTRICT JUDGE